IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

NOTICE OF MOTION NO.161 OF 2006
IN
PETITION NO.41 OF 2003

Re: Kokodan Sudhan Babu Krishnan & anr...Insolvents.
Ex-parte :
Ghisalal C. Shah .. Petitioning Creditor.

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Mr. Kishore Jain for the Petitioning Creditor.
Insolvent absent.
Mr. Y.C. Parikh, Official Assignee present.

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CORAM: DR. D.Y. CHANDRACHUD, J.

21st November, 2006.

P.C. :

The claim of the Petitioning Creditor has been met. However, the Insolvent has still not filed a schedule of assets and liabilities. The Motion for annulment under Section 21(1) of the Presidency Towns Insolvency Act, 1909 cannot be considered at this stage. It will be open to the Insolvent to file a schedule of assets and liabilities and thereafter take out appropriate proceedings after service upon the Official Assignee. The Motion is accordingly disposed of.